

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
HITACHI CAPITAL AMERICA CORP.,

Plaintiff,

-against-

ECAPITAL CORP.,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
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DOC #:
DATE FILED: 8/2/2022

21 Civ. 2426 (AT)

ORDER

The Court has reviewed the parties' sealings motions and related exhibits. ECF Nos. 45, 58. Collectively, the parties request the sealing of seventeen documents. *See id.* They do not propose or request more limited redactions for any of these documents, nor do they give specific reasons why each document should be sealed. *See id.* The Court finds that the requests to seal are not "narrowly tailored." *See Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 124 (2d Cir. 2006). Further, as justification for their requests, the parties merely cite to the confidentiality markings affixed during discovery. *See* ECF No. 45-1 at 2-3; ECF No. 58 at 2. Relying on the confidentiality order is insufficient to justify the requested sealing because "bargained-for confidentiality does not overcome the presumption of access to judicial documents." *Bernsten v. O'Reilly*, 307 F. Supp. 3d 161, 168 (S.D.N.Y. 2018).

Accordingly, the motions to seal are DENIED. The Court shall permit the parties to file amended motions to seal that address the deficiencies noted above and shall maintain the exhibits under seal until the Court rules on the amended motions, if any. By **August 9, 2022**, the parties shall file their amended sealing motions. By **August 12, 2022**, the parties shall file any responses to the opposing parties' motion. If either party fails to file an amended sealing motion by August 9, the relevant documents shall be unsealed.

The Clerk of Court is directed to terminate the motions at ECF Nos. 45 and 58.

SO ORDERED.

Dated: August 2, 2022
New York, New York



ANALISA TORRES
United States District Judge